

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

United States of America,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:20CR12
)	
Jason Michael Musgrove,)	
)	
Defendant.)	
_____)	

(REDACTED) CHANGE OF PLEA HEARING
BEFORE THE HONORABLE J. RANDAL HALL
CHIEF UNITED STATES DISTRICT COURT JUDGE
THURSDAY, SEPTEMBER 3, 2020; 11:05 A.M.

FOR THE PLAINTIFF:

Tara M. Lyons, Esquire
U.S. Attorney's Office
Post Office Box 2017
Augusta, Georgia 30903
(706)724-0517

FOR THE DEFENDANT:

M. Travis Saul, Esquire
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OFFICIAL COURT REPORTER:

Lisa H. Davenport, RPR, FCRR
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1 (Call to Order at 11:05 a.m.)

2 THE CLERK: The court calls case number 1:20CR12. The
3 United States of America v Jason Michael Musgrove. Tara Lyons
4 for the government. Travis Saul for the defendant. Here for a
5 plea to an Information.

6 THE COURT: Good morning.

7 MS. LYONS: Good morning.

8 MR. SAUL: Good morning.

9 THE COURT: Mr. Musgrove, I am going to ask you to
10 stand during the hearing, please, sir. Mr. Musgrove, it is my
11 understanding that in this case you were indicted by the grand
12 jury of this district on six counts involving various charges
13 of child pornography. I understand that you have entered into
14 a plea agreement and as part of that plea agreement you are now
15 going to plead guilty to count one of an Information. Is that
16 correct?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: Did anyone force you, threaten you or
19 pressure you to come into court this morning and plead guilty
20 to this count one of the Information?

21 THE DEFENDANT: No, Your Honor.

22 THE COURT: And I note that count one of the
23 Information that you're pleading guilty to the production of
24 child pornography; correct?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Now, Mr. Musgrove, if you have any trouble
2 hearing me or understanding me during this hearing, if you'll
3 let me know I'll be glad to correct the problem. Furthermore,
4 you're represented this morning by Mr. Saul. If you wish to
5 speak to him at any time, feel free to do so. With those brief
6 housekeeping matters then out of the way, I'll ask the clerk to
7 place you under oath.

8 (Jason Michael Musgrove is duly sworn.)

9 THE CLERK: Please state your name for the record.

10 THE DEFENDANT: Jason Michael Musgrove.

11 THE CLERK: Thank you.

12 THE COURT: Mr. Musgrove, by taking that oath you've
13 promised to tell the truth during this hearing. If you do not
14 you can be prosecuted by the government for perjury or making a
15 false statement and they can use those statements against you
16 in such prosecution. All right. How old are you?

17 THE DEFENDANT: Forty years old.

18 THE COURT: Are you single or married?

19 THE DEFENDANT: Recently divorced.

20 THE COURT: Do you have any children?

21 THE DEFENDANT: Two.

22 THE COURT: How old are your children? Tell me about
23 your children.

24 THE DEFENDANT: My daughter just turned 18 in May.

25 THE COURT: Okay.

1 THE DEFENDANT: And my son is 16.

2 THE COURT: What kind of work did you do before you
3 were arrested?

4 THE DEFENDANT: I was in the Army.

5 THE COURT: What was your job in the Army?

6 THE DEFENDANT: I was a Computer Network Engineer.

7 THE COURT: Was that a part of the cyber command?

8 THE DEFENDANT: Most recently, yes.

9 THE COURT: How far did you go in school?

10 THE DEFENDANT: Master's degree.

11 THE COURT: In what?

12 THE DEFENDANT: Information Technology.

13 THE COURT: Where did you obtain that?

14 THE DEFENDANT: University of Maryland University
15 College.

16 THE COURT: I assume, obviously, you can read and
17 write?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Are you under the influence of any alcohol
20 or drugs this morning?

21 THE DEFENDANT: No, Your Honor.

22 THE COURT: Are you currently taking any prescription
23 medication?

24 THE DEFENDANT: No, Your Honor.

25 THE COURT: Are you currently being treated for any

1 type of mental illness?

2 THE DEFENDANT: No, Your Honor.

3 THE COURT: Now the United States Attorney on
4 March 2nd of this year filed a single count Information against
5 you charging you with the offense of production of child
6 pornography. The Information states that on or about December
7 of 2018 in Columbia County you knowingly employed and used
8 minor MV1, a minor whose identity is known to the grand jury,
9 to engage in sexually explicit conduct for the purpose of
10 producing a visual depiction of that conduct and the visual
11 depiction was produced using materials that were either mailed,
12 shipped or transported in interstate or foreign commerce by any
13 means including by computer. In this case it was an image or
14 video with a file name Toilet.mp4 depicting MV1 engaging in
15 sexually explicit conduct, this being a violation of federal
16 law.

17 Have you seen this Information and discussed it with
18 Mr. Saul?

19 THE DEFENDANT: Yes, Your Honor.

20 THE COURT: Do you understand what you've been charged
21 with in this Information?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: Have you had as much time to talk to
24 Mr. Saul as you'd like to about this charge?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Now, Mr. Musgrove, this is a felony.
2 Under our Constitution you have a right to insist that this
3 felony charge be brought against you in an indictment rather
4 than in an information. An indictment is a formal charging
5 document returned by a grand jury that is composed of at least
6 16, but not more than 23, fellow citizens. Before a felony
7 charge can go forward in this court at least 12 members of that
8 grand jury must find that there is probable cause to believe
9 that you committed the crime and then vote to return an
10 indictment charging you with the crime.

11 If you want, Mr. Musgrove, you can waive your right to
12 be charged in an indictment and agree to be charged in an
13 information which is this document. This is simply a document
14 prepared and filed by the United States Attorney. If you agree
15 to be charged in this information this case will proceed
16 against you based upon the information just as though you have
17 been indicted on this specific charge.

18 Is there a waiver of ---

19 MR. SAUL: Your Honor, it's been handed to me.

20 THE COURT: Okay. Go right ahead.

21 MR. SAUL: We still need to sign it.

22 THE COURT: Go ahead.

23 MR. SAUL: It's been signed, Your Honor.

24 THE COURT: Okay. Mr. Musgrove, I believe you just
25 signed a form consenting to have this charge brought against

1 you in this information. Is that what you want to do?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Do you understand that by agreeing to the
4 information you are, in fact, waiving the right to be indicted
5 on this charge? Do you clearly understand that?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Very well. That waiver of indictment form
8 has been signed and by all the parties -- by the defendant and
9 his counsel and now by the Court -- and should be entered into
10 the record of this hearing.

11 Now the law provides that you have a right to plead
12 not guilty to this Information and to maintain a plea of not
13 guilty. If you plead not guilty and persist in your plea, then
14 you would have a right to have a jury trial, but by pleading
15 guilty you're going to be giving up the right to have a jury
16 trial. Because of that, Mr. Musgrove, I am required to inform
17 you of what your rights would be as it relates to that trial
18 and other items that are important about that jury trial.

19 So you would have a right to a speedy and public trial
20 before a jury selected from the citizens of this district -- in
21 fact, of this division of this district. You would have a
22 right to be present for trial and for all of the proceedings
23 involved in your case. At the trial you and your lawyer would
24 have the right to be -- to participate in the jury selection
25 and you would have a right to challenge jurors by using what

1 the law calls preemptory challenges.

2 You would have a right to be represented by counsel
3 not only at trial but at every other part of the proceeding or
4 matter in your particular criminal case. You would have a
5 right to have counsel appointed if you could not afford to pay
6 the counsel's fee. I believe in this case Mr. Saul has been
7 appointed to represent you. Is that correct?

8 THE DEFENDANT: That's correct, Your Honor.

9 THE COURT: Are you satisfied with the help that
10 you've received from him as your lawyer in this case?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Now at that trial you would have a right
13 to -- first, you would be presumed innocent and it would be the
14 government's burden or responsibility to prove your guilt
15 beyond a reasonable doubt. You would have a right if you chose
16 to put forth a defense. That could include using the court's
17 subpoena power to bring witnesses to court to testify as part
18 of your defense. That could include you taking the stand and
19 testifying as part of your defense with the government's right
20 to cross examine you. You would have a right to hear and see
21 the government's witnesses and to have those witnesses cross
22 examined.

23 You would have a right to remain silent. If you chose
24 to remain silent and not testify at trial, that fact or the
25 fact that you did not put on a defense would not be used

1 against you. You would have a right to appeal any verdict that
2 may be reached at that jury trial. You would have a right to
3 have a lawyer help you with that appeal and you would have a
4 right to have that lawyer appointed at public expense if you
5 could not afford to pay the lawyer for their fee for the
6 appeal.

7 So by pleading guilty this morning to this charge
8 you're going to be giving up the right to a jury trial and all
9 the trial-related rights that I described. In other words,
10 there will be no trial of any kind on count one because you
11 will have plead guilty and found guilty based upon that plea.
12 Do you clearly understand that?

13 THE DEFENDANT: Yes, Your Honor.

14 THE COURT: And knowing now what your jury trial
15 rights are do you wish to waive your right to a jury trial on
16 count one and move to plead guilty?

17 THE DEFENDANT: Yes, Your Honor.

18 THE COURT: All right. Let's talk a minute about this
19 plea agreement that you've entered into. Did you sign this
20 plea agreement?

21 THE DEFENDANT: Yes, I did.

22 THE COURT: Did you go over it with Mr. Saul before
23 you signed it?

24 THE DEFENDANT: Yes.

25 THE COURT: When you enter into a plea agreement with

1 the government you agree to be bound by all of the terms of the
2 agreement and you agree that all the facts that are contained
3 in the agreement are true and accurate. Do you understand
4 that?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: Does this agreement contain everything you
7 agreed to?

8 THE DEFENDANT: Yes, Your Honor.

9 THE COURT: So other than the government's promises to
10 you in this plea agreement has anyone else promised you
11 anything else in order to get you to sign this plea agreement
12 and plead guilty?

13 THE DEFENDANT: No, Your Honor.

14 THE COURT: I am not going to go over every paragraph.
15 I do want to mention a few things. Obviously, you've decided
16 to plead guilty to count one of the Information. In response
17 the government has said that they will at sentencing ask the
18 court by motion to dismiss all the counts of the indictment
19 that are currently pending.

20 You've agreed to forfeit your interest in certain
21 property that was used or intended to be used to commit this
22 offense including thumb drives, a black wireless camera, other
23 matters that are listed in the plea agreement.

24 I also note that as part of the Plea Agreement that
25 you've agreed with the government and they've agreed that for

1 purposes of the sentencing guidelines this offense that you're
2 pleading guilty to did not involve material that, A, portrays
3 sadistic or masochistic conduct or other depictions of violence
4 or, B, involved material that portrayed an infant or a toddler.

5 I also want you to know that this Plea Agreement
6 contains an appeal waiver. The appeal waiver has two parts.
7 The part one is that you're waiving your right to directly
8 appeal your conviction and sentence on any ground with three
9 exceptions: You may appeal your sentence if your sentence
10 should exceed the maximum penalty that the law allows for this
11 charge or should the sentence exceed the applicable sentencing
12 guideline range or should the government appeal.

13 The second part provides that you are waiving your
14 right to collaterally attack your conviction and sentence in a
15 post-conviction proceeding. The only exception to that waiver
16 is that you're not giving up the right to attack your --
17 collaterally attack your conviction and sentence based upon a
18 claim of ineffective assistance of counsel. Do you understand
19 that this agreement contains the appeal waiver that I just
20 described?

21 THE DEFENDANT: Yes, Your Honor.

22 THE COURT: So, once again, this agreement contains
23 everything you agreed to; correct?

24 THE DEFENDANT: That's correct, Your Honor.

25 THE COURT: All right. Now there are consequences to

1 you for pleading guilty to this charge. Let me go over those.
2 First, penalties -- potential statutory penalties. In your
3 case you could be sent to prison for not less than 15 -- there
4 is a mandatory minimum -- and not more than 30 years. You
5 could be fined not more than \$250,000. You could be placed on
6 supervised release for not less than five years -- another
7 mandatory statutory minimum -- and not more than life. You
8 will be required to register as a sex offender. Restitution --
9 you have agreed in the plea agreement and the law provides that
10 you will be potentially required to pay some restitution to any
11 victim -- to the victim in this particular case. If applicable
12 there are certain special assessments that you may be required
13 to pay as part of your sentence and then there is a \$100
14 special assessment that you'll be required to pay at the time
15 of sentencing. Do you now understand these potential
16 penalties?

17 THE DEFENDANT: Yes, I do, your Honor.

18 THE COURT: You are in the federal system where there
19 is no parole; therefore, whatever prison sentence you
20 receive -- and we know by law it will be not less than 15
21 years -- you will be in custody for all of that sentence with
22 the ability to have that actual time reduced by good time
23 credits that you might earn while you are there. After your --
24 you have served your prison sentence, you'll will be released
25 on supervised release. That is a time where you are subject to

1 a number of rules and conditions and the supervision of the
2 court through the United States Probation Office. If you break
3 the rules of supervised release you can be arrested, brought
4 back to court, and if I revoke supervised release you can be
5 sent back to prison to serve an additional period of time.

6 Finally, as a result of this felony conviction you'll
7 lose the right to vote, to serve on a jury, to hold public
8 office, and to own or possess firearms or ammunition.

9 Do you now understand, Mr. Musgrove, the consequences
10 to you of pleading guilty to this felony charge this morning?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Now let me talk to you a minute about
13 sentencing. At the end of the hearing I am going to ask the
14 probation officer who is over here in the jury box who I
15 believe has been assigned to your case -- he is going to
16 investigate your case and he is going to prepare a written
17 report that will help me determine your final sentence. We
18 call that a Presentence Investigation Report. He will meet
19 with you and your counsel and will ask you a number of
20 questions -- in other words, an interview.

21 He will then prepare a draft report. That draft
22 report will be provided to Mr. Saul and to the government. You
23 will meet with Mr. Saul and go over the draft report and to the
24 extent that the report may contain any errors or anything that
25 you may object to, then you need to let the officer know --

1 probation officer. The probation officer will then prepare a
2 final report. You will again meet with Mr. Saul and see the
3 final Presentence Report. The government will get the final
4 report and, very importantly, I get the final report, and that
5 is what I read and study and use to determine your final
6 sentence.

7 So once I have the final report, then the court -- we
8 will schedule your sentencing hearing and bring you back to
9 court for sentencing. At your hearing -- your sentencing
10 hearing -- if there are any outstanding objections to the
11 Presentence Report, I will hear those objections and resolve
12 them. Then if you and Mr. Saul wish to present me with any
13 character witnesses or letters of support or anything else that
14 you think I need to know about you, you'll get the chance to do
15 that. Furthermore, as a defendant you have the right to make a
16 personal statement. So if you decide there is something you'd
17 like to say to the court in that hearing, you'll get the chance
18 to make that statement.

19 Now as part of that hearing I will adopt the final
20 Federal Sentencing Guidelines that apply to your particular
21 case. These final guidelines will not be a surprise because
22 they will have been in the Presentence Report. So you will
23 know ahead of time what those guidelines are. Occasionally, if
24 there is an objection filed and the objection is upheld, there
25 may be an adjustment in the guidelines that are contained in

1 the report, but that's pretty rare.

2 Anyway, the guidelines are not mandatory. They're
3 advisory. So once I announce the range of months and adopt the
4 range of months that is suggested by the guidelines, then I can
5 sentence you within the range or I can go below the range or
6 above the range. That is a summary of how you'll be sentenced,
7 Mr. Musgrove. Do you have any questions?

8 THE DEFENDANT: No, Your Honor.

9 THE COURT: Did anyone make a promise, prediction or
10 prophecy that you would receive a specific sentence in this
11 case?

12 THE DEFENDANT: No, Your Honor.

13 THE COURT: All right. Now in order to convict you of
14 this production of child pornography charge at trial the
15 government -- remember, I told you the burden of proof would be
16 on the government and they would have to prove guilt beyond a
17 reasonable doubt. So what exactly would they have to prove
18 beyond a reasonable doubt? First, that an actual minor -- that
19 is, a real person -- who was less than 18 years old was
20 depicted; second, that you employed and used that minor to
21 engage in sexually explicit conduct for the purpose of
22 producing a visual depiction of that conduct; and, third, the
23 visual depiction was produced using materials that had either
24 been mailed, shipped or transported in interstate or foreign
25 commerce by any means including by computer.

1 Mr. Musgrove, do you now understand what the
2 government would have to prove?

3 THE DEFENDANT: Yes, Your Honor.

4 THE COURT: Would they be able to prove that beyond a
5 reasonable doubt?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: All right. With that admission, then I am
8 going to ask you to sit down and I am going to now look to
9 Ms. Lyons to provide me the factual basis for Mr. Musgrove's
10 plea this morning.

11 MR. SAUL: Judge, if I could have just one minute to
12 speak to my client.

13 THE COURT: Yes.

14 Are you going to do that by proffer or testimony?

15 MS. LYONS: By proffer with approval of defense
16 counsel, Your Honor.

17 MR. SAUL: Thank you, Judge. We're fine with the
18 proffer.

19 THE COURT: You're fine with the proffer?

20 MR. SAUL: Yes, Your Honor.

21 THE COURT: All right. The record will note that.
22 You may proceed, Counsel.

23 MS. LYONS: Thank you, Your Honor. May it please the
24 Court. Your Honor, for the record if I could state that I did
25 have a discussion with Mr. Saul and also with Probation Officer

1 Joseph Brown before offering this proffer to the Court. There
2 are a number of minor victims in this case and in an effort to
3 minimize any impact or exposure to specific acts I am very much
4 limiting the proffer that I am providing to the Court today,
5 but Mr. Saul and Mr. Brown are aware that the full acts are in
6 discovery and will be included in a sentencing report, and if
7 we need to get into any of those facts at the sentencing, I
8 would ask Your Honor to consider closing that sentencing to
9 protect the victims, but for today's purpose if you will give
10 me a little bit of indulgence to move very slow so that I don't
11 make an error as I'm going along.

12 THE COURT: Go ahead. Sure.

13 MS. LYONS: Thank you. On Wednesday, December 4,
14 2019, an FBI agent was acting in an undercover capacity as a
15 part of the Child Exploitation Task Force. On that date the
16 undercover entered a private Kik group. Kik is a free mobile
17 application that permits users to send text messages and other
18 content including video and images. Kik also allows members to
19 create groups that will allow the users to communicate as a
20 group and send pictures and videos privately.

21 At approximately 1:55 on December 4, 2019, a new user
22 entered the Kik group and used the name "That John Thomas guy."
23 That John Thomas guy received an automatic message for new
24 users that indicated the target needed to send two pics or
25 videos of a girl -- young girl -- to the administrator upon

1 entry and needed to verify his authenticity. The target then
2 sent the undercover two separate images of a teenage girl
3 clothed via the Kik private message as well as a live and
4 historical picture of himself and that minor.

5 During the course of the private chats on December 4th
6 the undercover observed the target in a second Kik group
7 posting a nude image of minor victim one. In the second Kik
8 group the target also commented on child pornography that was
9 being disseminated by other Kik users. During the course of
10 the private Kik messages with the UC, the target sent three
11 images of minor victim one.

12 These are considered child pornography, Your Honor.

13 On December 5, 2019, the target continued to
14 communicate with the UC via Kik private messenger and the
15 target informed the UC that he was employed as an officer for
16 the Army. The target also talked about his usage of a spy
17 camera and indicated that it is quite small and I set it up as
18 needed and it has a motion-sensing capability. On December 5,
19 2019, the target then discussed with the UC drugging and having
20 sex with minor victim one.

21 Due to this information the FBI decided to send an
22 emergency disclosure request to Kik in order to obtain
23 subscriber information related to the account
24 thatjohnthomasguy. On or about December 5th Kik replied and
25 provided IP addresses that tracked back to U-verse and AT&T and

1 finally resolving to Jason Musgrove at XXXX XXXXXXXX XXXXX,
2 Grovetown, Georgia. This is located in Columbia County.

3 On or about December 5 of 2019 the FBI conducted an
4 open-source search via Facebook and found a Facebook account
5 where they were able to find an image of Jason Musgrove that
6 matched the images the target had sent the UC for verification.
7 On or about December 5, Special Agent Godbee contacted Army
8 Criminal Investigation at Fort Gordon in order to gather more
9 information about Mr. Musgrove. Special Godbee was told that
10 Mr. Musgrove was a major on active duty in the U.S. Army
11 working at the NSA campus. CID also confirmed that the address
12 listed for Mr. Musgrove in the DOD databases was XXXX XXXXXXXX
13 XXXXX in Grovetown, Georgia.

14 Based on this Special Agent Godbee conducted
15 surveillance at that address in Grovetown, Georgia. On
16 December 6th Special Agent Godbee applied for an arrest
17 warrant, a criminal complaint, and a search warrant for the
18 residence of Mr. Musgrove. On December 6th Special Agent
19 Godbee and other members of the FBI executed that arrest
20 warrant and search warrant and during the execution of the
21 search warrant Special Agent Godbee had the opportunity to
22 speak to Mr. Musgrove.

23 If Special Agent Godbee had testified today he would
24 tell you that Mr. Musgrove was completely cooperative.
25 Mr. Musgrove admitted to using his cellular telephone and a

1 camera to surreptitiously record minor females at his residence
2 in Grovetown, Georgia. Mr. Musgrove admitted to utilizing an
3 email address that included 1982johnthomas@gmail.com. On
4 December 6th the FBI and Special Agent Godbee were able to
5 seize devices from the residence to include two thumb drives,
6 external hard drive, a Dell laptop, and a cellular telephone.
7 Special Agent Godbee would later conduct a forensic analysis of
8 those devices.

9 On that date Special Agent Godbee was also able to
10 obtain a consent to take over account for Mr. Jason Musgrove in
11 relation to Mr. Musgrove's Google drive. Upon review Special
12 Agent Godbee located in Mr. Musgrove's Google drive videos of
13 minor victims one, two, three, and four. Special Agent Godbee
14 was able to confirm that these -- the females depicted were
15 minors at the time the images were taken in or about December
16 of 2018. The videos appeared to be taken on a hidden camera
17 that was located in a vent in the bathroom of the residence.

18 Your Honor, I believe I have covered all elements of
19 the offense. Specifically, I would note for interstate
20 commerce we have a cellphone, cameras, and the use of the
21 Google drive. I beg the Court's indulgence.

22 Your Honor, normally at a change of plea I would
23 describe images. I think we have no objection to not
24 describing those images and that the images would have met the
25 definition of sexually explicit conduct of a person under the

1 age of 18, but just to cover the record I wanted to make sure.

2 MR. SAUL: No objection, Your Honor.

3 THE COURT: All right. So, Mr. Saul, on behalf of
4 Mr. Musgrove you agree that the images did depict a minor
5 engaging in sexually explicit conduct?

6 MR. SAUL: Yes, Your Honor.

7 THE COURT: All right. Mr. Musgrove, if you would
8 stand again, please, sir. Mr. Musgrove, you've just heard that
9 statement of the facts in this case. Do you agree with what
10 Ms. Lyons told the Court?

11 THE DEFENDANT: Yes, Your Honor.

12 THE COURT: Do you still want to plead guilty to count
13 one of the Information, the charge of production of child
14 pornography?

15 THE DEFENDANT: Yes, Your Honor.

16 THE COURT: Are you pleading guilty because you are,
17 in fact, guilty of committing this crime?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: The record should reflect then that
20 Mr. Musgrove has plead guilty to count one of the Information.
21 Let the plea now be signed.

22 THE CLERK: The defendant's plea of guilty to count
23 one has been entered.

24 THE COURT: The Court now finds then that Mr. Musgrove
25 has waived his right to indictment and has agreed to proceed

1 today by Information. He is competent and fully understands
2 this count one charge against him. There is a factual basis
3 supporting his guilty plea on this charge. He knows the
4 statutory punishment that could be imposed upon a conviction of
5 this charge including the statutory minimum of incarceration
6 and supervised release. He knows his jury rights which he has
7 knowingly and voluntarily waived. His decision to plead guilty
8 to this charge this morning was voluntary, knowing, and not as
9 a result of any force, pressure, threats or promises other than
10 the promises made by the government in the plea agreement;
11 therefore, I find -- I now adjudge Mr. Musgrove guilty of count
12 one of the Information based upon his guilty plea.

13 I now order the preparation of the Presentence
14 Investigation Report and direct that copies be provided to the
15 parties when available. Upon the issuance of the final
16 Presentence Report, the court will schedule and conduct
17 sentencing. Pending sentencing then I remand Mr. Musgrove to
18 the custody of the United States Marshal. I believe we are
19 concluded. Thank you.

20 (The hearing is concluded.)
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1 CERTIFICATE OF REPORTER
2
3
4

5 I, Lisa H. Davenport, Federal Official Reporter, in and
6 for the United States District Court for the Southern District
7 of Georgia, do hereby certify that pursuant to Section 753,
8 Title 28, United States Code that the foregoing is a true and
9 correct transcript of the stenographically-reported proceedings
10 held and that the transcript page format is in conformance with
11 the regulations of the Judicial Conference of the United
12 States.

13
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15 Lisa H Davenport, RPR, FCRR
16 Federal Official Reporter
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